

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>Illinois Bell Telephone Company</b>	)	
	)	<b>02-0864</b>
<b>Filing to increase Unbundled Loop</b>	)	
<b>and Nonrecurring Rates</b>	)	

**RESPONSE OF ALLEGIANCE TELECOM OF ILLINOIS, INC.,  
MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.,  
RCN TELECOM SERVICES OF ILLINOIS, INC. AND  
TDS METROCOM, LLC IN SUPPORT OF MOTIONS  
TO COMPEL OR TO EXTEND SCHEDULE**

Allegiance Telecom of Illinois, Inc. ("Allegiance"), McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), RCN Telecom Services of Illinois, Inc. ("RCN") and TDS Metrocom, LLC ("TDS Metrocom") submit this response in support of the motions to compel responses to data requests or to extend the schedule filed on March 27, 2003, by Commission Staff and by AT&T Communications of Illinois, Inc. ("Staff-AT&T Motions").

Allegiance, McLeodUSA, RCN and TDS Metrocom **support** the Staff-AT&T Motions.

Allegiance, McLeodUSA, RCN and TDS Metrocom will be jointly sponsoring, with AT&T, certain expert witnesses in this case. Based on the division of labor among CLEC intervenors in this case, AT&T has sent certain data requests to SBC Illinois ("SBC") seeking information needed by our joint experts to prepare their direct testimonies, while Allegiance, McLeodUSA, RCN and TDS Metrocom have sent other data requests to SBC for this purpose<sup>1</sup> ("Joint CLECs' Data Requests"). (Below we summarize for the Administrative Law Judge's information the status of SBC's responses to the Joint CLECs' Data Requests.) Further, the interrelationships among the scopes of the respective CLEC experts' anticipated testimonies

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<sup>1</sup>The following CLEC intervenors, who are not represented by the undersigned counsel, have also been parties to the Joint CLECs' Data Requests: Covad Communications Company, Forte Communications, Inc., Globalcom, Inc. and WorldCom, Inc.

means that certain of the experts' work must be substantially completed before other experts can complete their testimonies. Therefore, the failure or inability of SBC to respond to AT&T's data requests (as well as Joint CLECs' Data Requests) endangers the ability of the expert witnesses being jointly sponsored by Allegiance, McLeodUSA, RCN and TDS Metrocom with AT&T to complete their analyses of SBC's filing, and prepare their direct testimonies, by April 15.

Based on the current state of responses to AT&T's data requests and to the Joint CLECs' Data Requests, Allegiance, McLeodUSA, RCN and TDS Metrocom believe it is extremely unlikely that SBC will be able to provide responses to outstanding data requests in time to allow the CLEC witnesses to prepare and file their testimonies by April 15. Allegiance, McLeodUSA, RCN and TDS Metrocom would support a modification to the procedural schedule as proposed in the Staff Motion. We note that the modified schedule proposed by Staff is consistent with the ALJ's January 10, 2003, directive that the procedural schedule in this case should provide for a Post-Exceptions Proposed Order to go to the Commission by October 24, 2003.

Following is the current status of SBC's responses to the Joint CLECs' Data Requests<sup>2</sup>:

First Set of Data Requests (sent Jan. 29): 104 items, 1 remains unanswered.

Second Set of Data Requests (sent Feb. 20): 42 items, 18 remain unanswered.

Third Set of Data Requests (sent Feb. 28): 7 items, 3 remain unanswered.

Fourth Set of Data Requests (sent Mar. 14): 38 items, 33 remain unanswered.

Fifth Set of Data Requests (sent Mar. 19): 18 items, all remain unanswered.

Finally, Allegiance, McLeodUSA, RCN and TDS Metrocom note that in the context of this case, which SBC has urged be completed in less than the statutory 11 month time period,

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<sup>2</sup>This tally counts as "answered" questions to which SBC objected and answers as to which the parties are still discussing whether SBC's response was sufficient.

taking the 28 days period specified in 83 Ill. Adm. Code 200.410 (or longer) to respond to data requests is unacceptable.

Dated: March 28, 2003

Respectfully submitted,

/s/ Owen E. MacBride

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